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Docket No.: 408-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Enrique Molina

Serial No.: 09/995,486

Filed: November 28, 2001

For: BUILDING CONSTRUCTION SYSTEM

)
) Art Unit 3635
)
) Examiner:
) Steven Varner
)
)

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GROUP 3600

The Commissioner of Patents
P.O. Box 1450
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By: *Neil H. Markera*

NON-COMPLIANT AMENDMENT RESPONSE

This confirms a January 30, 2004 telephone conference with the legal instruments examiner and is in response to the January 16, 2004 Notice of Non-compliant Amendment filed December 15, 2003 in response to the outstanding office action dated September 10, 2003 in which the examiner withdrew claims 9-47 as being directed to other inventions, rejected claims 1-5 under 35 U.S.C. § 102 as being anticipated by Wilde (U.S. Patent 5,431,368), and objected to claims 6-8 indicating allowable subject matter.

Claim 2 is cancelled, claims 1, 3, 5-6, and 8 are currently amended, and claims 4 and 7 remain as dependent upon the respective currently amended claims 1 and 6. Claims 9-47 are withdrawn as non-elected restricted claims.

Applicant's Claims, Independent Claims Fee, and Remarks

Applicant's amended claims and remarks follow on separate pages as required in the new amendment format. The attached check for \$86.00 submitted with Applicant's December 15, 2003 response is in payment of the additional two (2) new independent claims.